

EXHIBIT 1

U.S. Department of Labor

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August 12, 2009

VIA FACSIMILE AND U.S. MAIL

The Honorable C. Darnell Jones, II
United States District Court for
The Eastern District of Pennsylvania
James A. Byrne Federal Courthouse
601 Market Street, Room 5918
Philadelphia, PA 19106-1797

RE: *Solis v. Koresko, et al.*
U.S.D.C. E.D. Pa. , Civil Action No. 09-00988 (CDJ)

Dear Judge Jones:

Counsel for Plaintiff, the Secretary of Labor, respectfully requests that Your Honor schedule a brief scheduling conference with counsel for the parties to address discovery matters. We have received your August 10, 2009 Order and understand the Defendants will not be required to produce documents to Plaintiff at the depositions Plaintiff noticed for August 19, 2009. In light of Your Honor's August 10 Order, Plaintiff seeks guidance from the Court as to whether Plaintiff is permitted to proceed with those depositions, which Plaintiff intended would be limited to the issues of the management and control of Defendant Penn Public Trust and a purported "legal services benefit" amendment to the benefits plans that are the subject of this litigation. These issues were raised by Defendants' during the course of the July 17, 2009 hearing in this case.

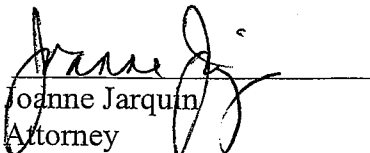
Counsel for Plaintiff have contacted counsel for the parties to determine their availability for the requested scheduling conference call and all counsel have indicated they are available on the morning of Monday, August 17, 2009. Counsel for Plaintiff and Defendant F & M Trust are also available any time on August 12, 13 or 14.

If a formal motion is required to raise this matter before the Court, kindly advise the undersigned. Thank you for your consideration of this request.

Very truly yours,

Catherine Oliver Murphy
Regional Solicitor

By:


Joanne Jarquin
Attorney

cc: John J. Koresko, Esquire
Timothy J. Nieman, Esquire
Stephen Moniak, Esquire

SOL:JJ